

## **REMARKS**

### **Summary**

1. The drawings are objected to because the drawings in Figures 1, 6 and 7 are not clear. Corrected drawings are required. Proposed corrected drawings are attached. The Examiner's approval of proposed drawings and removal of the rejections is respectfully requested.

2. Claims 1-11 and 13-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins (U.S. Patent No. 6,000,000).

2. Claims 12 and 48 – 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawkins in view of U.S. Patent No. 5,974,238, herein said Chase.

### **Claim 1**

Claim 1, as amended, cites features not suggested much less disclosed by Hawkins. Among these features are:

(1) Two handheld computers communicating to synchronize a first information item on a first handheld computer and a second information item on a second handheld computer; and

(2) Selecting a first folder that includes the first item, in order to select the first information item for synchronizing.

These features are not suggested much less disclosed by Hawkins.

With respect to the feature involving selecting a first folder, Applicant has scrutinized Hawkins and has not found any suggestion of such an approach to selecting an item for synchronization. In fact, the Office Action has not alleged that Hawkins

suggests selecting a folder on a handheld computer, even though former claim 20 recited selecting a first folder.

With respect to the feature involving two handheld computers communicating to synchronize data, the Office Action has alleged Hawkins suggests such a feature. Specifically, the Office Action alleges that because Hawkins described two computers synchronizing data, one a handheld computer and the other a personal computer, but did not specify that the personal computer is a handheld or desk top computer, that Hawkins suggests that the other computer is a handheld computer. Applicant respectfully disagrees.

Those skilled in the art would construe the term personal computer to not cover handheld computers because personal computer, or PC, is a term that those skilled in the art construe to include a desktop computer, but not as a handheld computer. Furthermore, Hawkins does indeed specify that the personal computer is a desktop, explicitly referring to the desktop depicted in FIG. 1 as personal computer 150 (see col. 1, line 43).

Based on the foregoing, Hawkins fails to disclose or suggest in any way claim 1, and therefore fails to anticipate or render obvious claim 1. Therefore, claim 1 is patentable. Reconsideration and allowance of claim 1 is respectfully requested.

#### **Claim 22**

Claim 22, as amended, cites features not suggested much less disclosed by Hawkins. Among these features are:

(1) Two handheld computers communicating to synchronize a first information item on a first handheld computer and a second information item on a second handheld computer; and

(2) Receiving identification from the first handheld computer, storing data on the second handheld computer that associates first information items with identification of either handheld computers or users, and using the identification and data to identify an information item to synchronize.

As explained earlier, Hawkins fails to suggest much less disclose a feature involving two handheld computers communicating to synchronize data. With respect to the feature involving using an identification and data to identify an information item to synchronize, nothing in Hawkins suggests in any way an approach for identifying items to synchronize that uses an identification and data that associates first information items with the identification of either handheld computers or users.

Based on the foregoing, Hawkins fails to disclose or suggest in any way claim 22, and therefore fails to anticipate or render obvious claim 22. Therefore, claim 22 is patentable. Reconsideration and allowance of claim 22 is respectfully requested.

**Claim 36**

Claim 36 requires:

Claim 36, as amended, cites features not suggested much less disclosed by Hawkins. Among these features are:

(1) A handheld computer configured to communicate with another handheld computer to synchronize a first information item on a first handheld computer and a second information item on a second handheld computer; and

(2) A conduit that receives identification from the first handheld computer, and uses the identification and data that associates first information items with identification of either handheld computers or users, to identify an information item to synchronize.

For reasons similar to those given with respect to claim 1, Hawkins fails to disclose or suggest in any way claim 36, and therefore fails to anticipate or render obvious claim 36. Therefore, claim 36 is patentable. Reconsideration and allowance of claim 36 is respectfully requested.

### **Dependant Claims**

The pending claims not discussed so far are dependant claims that depend on an independent claim that is discussed above. Because each of the dependant claims include the limitations of claims upon which they depend, the dependant claims are patentable for at least those reasons the claims upon which the dependant claims depend are patentable. Removal of the rejections with respect to the dependant claims and allowance of the dependant claims is respectfully requested. In addition, the dependent claims introduce additional limitations that independently render them patentable. Due to the fundamental difference already identified, a separate discussion of those limitations is not included at this time.


**CONCLUSION**

Applicants respectfully submit that all pending claims are patentable over the art of record. Accordingly, a Notice of Allowance is requested by Applicants. Applicants urge the Examiner to telephone Applicants' attorney at (408) 414-1206 if any issues remain that preclude allowance of the application. The Office is given permission to charge any unpaid fees to Applicants' deposit account (50-1302).

Respectfully submitted,

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on July 24, 2003 by Freddy Bingham